

CR-02-0947

IN THE COURT OF CRIMINAL APPEALS
OF ALABAMA

KENNY PRICE,

Appellant,

v.

STATE OF ALABAMA,

Appellee.

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*

APPEAL FROM AN ORDER OF
THE CIRCUIT COURT OF PIKE COUNTY

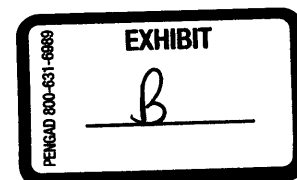
BRIEF OF APPELLANT
KENNY PRICE

JULY 10th, 2003

BY:

Lloyd W. Carr
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Attorney for Appellant

NO ORAL ARGUMENT REQUESTED



COPY



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Dawn K. DeVane
Legal Assistant

July 9, 2003

Court of Criminal Appeals
State of Alabama
Judicial Building, 300 Dexter Street
Post Office Box 301555
Montgomery, AL 36130-1555

Re: Kenny Price vs. State of Alabama
Appeal No. CR 02-0947

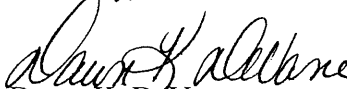
Dear Sir or Ma'am:

Enclosed please find Brief of Appellant Kenny Price along with five copies. Also, enclosed please find our "file copy", please stamp and return in the self addressed stamped envelope.

If you have any questions please do not hesitate to contact our office.

Thanking you in advance.

Sincerely,


Dawn K. DeVane
Legal Assistant

cc: Attorney General
Kenny Price

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STATEMENT OF THE CASE

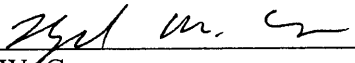
The Defendant/Appellant Kenny Price was found guilty in the Circuit Court of Pike County, Alabama in CC 2002-134 and CC 2002-136 on November 3rd, 2002. Mr. Price was represented by counsel during said trial. A Motion for New Trial was filed on January 31st, 2003 and denied on February 3rd, 2003. Mr. Price was subsequently sentenced on February 3rd, 2003 to twenty five years in each count to be served consecutively. On February 20th, 2003 defense counsel filed a Motion to Withdraw, and said motion was granted and the undersigned counsel was appointed to handle the appeal.

STATEMENT OF THE ISSUES

After a diligent study and research of the facts and the applicable law in the above-styled case, the undersigned counsel for the Defendant/Appellant can find no legal issue arguable on its merits that could be construed as unduly prejudicial or harmful to the substantive or procedural rights of the Defendant nor can I make any argument in good faith and conscience in the Appellant's favor that merits reversal.

CERTIFICATE OF SERVICE

I certify that I have this date served a copy of the foregoing Brief to Kenny Price, AIS# 150784, Defendant/Appellant, Donaldson Correctional Facility, 100 Warrior Lane, Bessemer, AL 35023; and the Attorney General for the State of Alabama, 11 South Union Street, 3rd Floor, Montgomery, Alabama, 36130 by U.S. First Class Mail, postage pre-paid on this the 1st day of July, 2003.



Lloyd W. Carr

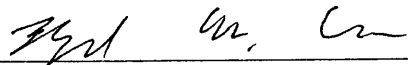
IN THE COURT OF CRIMINAL APPEALS OF ALABAMA

KENNY PRICE,	*	
APPELLANT,	*	
VS.	*	CASE NO. CR 02-0947
STATE OF ALABAMA,	*	
APPELLEE.	*	
	*	

MOTION TO WITHDRAW

COMES NOW Lloyd W. Carr, appointed attorney for the above-named Defendant/Appellant, and respectfully requests that this Honorable Court enter an Order granting him leave to withdraw as counsel of record. For grounds, the undersigned would show unto the Court that counsel for the Defendant believes the Defendant's appeal from the conviction and sentence imposed in the above-styled cause to be without merit.

Respectfully submitted this the 10 day of July, 2003.

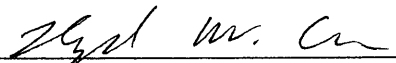


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CERTIFICATE OF SERVICE

I certify that I have this date served a copy of the foregoing Motion to Withdraw to Kenny Price, Defendant/Appellant, #150784, Donaldson Correctional Facility, 100 Warrior Lane, Bessemer, Alabama 35023; and the Attorney General for the State of Alabama, 11 South Union Street, 3rd Floor, Montgomery, Alabama, 36130 by U.S. First Class Mail, postage pre-paid on this the 10th day of July, 2003.

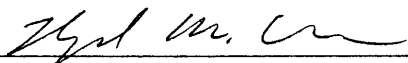


Lloyd W. Carr

CONCLUSION

Having concluded that this is a no merit appeal, the undersigned legal counsel has served the Defendant/Appellant with a copy of the record on appeal, and is contemporaneously herewith filing a Motion to Withdraw in this case.

Respectfully submitted this the 10th day of July, 2003.



Lloyd W. Carr **CAR137**
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